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**Testimony of
John D. Porcari, Secretary
Maryland Department of Transportation
Before the
U.S. House of Representatives
Transportation and Infrastructure Committee
Subcommittee on Coast Guard and Maritime Transportation
Hearing on Transportation Workers Identification Credentials
Wednesday, January 23, 2008**

Good Afternoon Chairman Cummings, Ranking Member LaTourette and Members of the Subcommittee. My name is John Porcari. I am the Secretary of Transportation, representing the Chairman's home State of Maryland. With me today is Mr. Jim White, Executive Director for the Maryland Port Administration which oversees the public marine terminals at the Port of Baltimore.

On behalf of our Governor Martin O'Malley, I thank you for the honor to address this distinguished Committee on issues pertaining to the Transportation Workers Identification Credential, known as TWIC.

Before I brief the Committee on the TWIC operations currently in place at the Port of Baltimore, it will be very beneficial to the Committee if I can briefly share some key facts about our Port. Knowing the "big picture" will enable you to better understand how all the components involved with TWIC fit in at the Port of Baltimore.

Founded in 1706, the Port of Baltimore is one of the oldest ports in the United States. The Port of Baltimore is comprised of seven public marine terminals and about 30 private terminals on 45 miles of waterfront land. Both the public and private terminals contribute to the rich selection of maritime services that makes our Port competitive and a main economic engine for Maryland. Out of 361 U.S. ports, the Port of Baltimore is currently ranked 14th for total cargo tonnage and 12th for value of cargo handled.

The Port of Baltimore is the number one port in the country for importing forest products that are used to manufacture magazines, paper towels, napkins and newspaper inserts. It's also the number one U.S. port for handling roll on/roll off cargo (farm and construction equipment) and for importing gypsum and iron ore.

The Port of Baltimore ranks second in the U.S. for exporting cars and trucks as well as importing sugar, wood pulp and aluminum. In 2006, the amount of general cargo at both the public and private terminals exceeded nine million tons for the first time in the Port's history. The total value of cargo was valued at \$36.7 billion, breaking the previous record set one year earlier.

The Port of Baltimore remains one of Maryland's key economic engines. The Port is responsible for approximately 16,500 direct jobs, while more than 300,300 jobs across the state are linked to activities at the Port of Baltimore.

The Port generates billions of dollars in salaries, business revenues and federal taxes. In 2006 the Port of Baltimore generated \$3.6 billion in personal wage and salary income; \$1.9 billion in business revenues; and State, county and municipal taxes of \$388 million. The Port of Baltimore today is a vital component to the overall economic health of the State of Maryland.

The Port of Baltimore prides itself on having an outstanding relationship with its security partners— among them, the Maryland Transportation Authority Police, U.S. Coast Guard and Customs.

On November 21, enrollment for TWIC began at the Port of Baltimore. We had been anticipating this date for a long time and were prepared. In fact, last summer we installed a new high-tech automated gate control system for trucks that is already compliant with TWIC software.

As you know, TWIC is a tamper-resistant identification “smart card” that will be required for unescorted access to secure and restricted areas of Maritime Transportation Security Act (MTSA) regulated facilities. By no later than September 25, 2008 (but sooner if announced by the Coast Guard), anyone who requires unescorted access to a facility or vessel regulated by MTSA must have a TWIC card.

As of January 17, 2008, 1,480 persons had enrolled for TWIC cards at the Baltimore enrollment site. Of that number, 367 TWIC cards were activated and issued. It is estimated that there will be about 25,000 persons requesting a TWIC card for unescorted access at the Port of Baltimore.

There have been some instances of enrollees having to make multiple visits to the Baltimore enrollment site because of TSA computers being down and because of information previously submitted for enrollment being lost on TSA servers. Slow enrollment can be attributed to any number of issues: cost of the card; payment arrangements by public and private institutions; and reluctance of individuals because of concerns about disqualifying background criteria.

The Maryland Port Administration, which oversees the public terminals at the Port of Baltimore, has met with private terminals, trucking associations, port customers and other stakeholders to update them on TWIC. A greater effort by TSA and Lockheed Martin to publicly announce TWIC requirements and implications through local television and radio broadcasts would greatly aid general awareness.

The MPA continues to issue weekly electronic bulletins to the Baltimore maritime community advising persons conducting regular business on MPA terminals of the TWIC enrollment process and the need for a TWIC card on MPA terminals when TWIC becomes required. We also communicate TWIC information on our website.

Labor union employees have expressed that not all employees have personal computers or computers accessible to them at their places of employment for online pre-enrollment. In some instances, employees have computer challenges. Management officials should make computers available for pre-enrollment or should allow work time to travel to and from enrollment centers.

Labor union employees have been encouraged to enroll for TWIC now while TWIC is not yet being enforced. By enrolling now, an employee who did not receive their card early could possibly appeal, and if successful receive a TWIC card prior to TWIC enforcement.

Temporary and day laborers have expressed concern about the cost of the card even though they may not seek employment at regulated facilities on a regular basis.

Vendors may not have one driver that exclusively makes deliveries to regulated facilities and may not want to have all of their drivers obtain a TWIC for access to regulated facilities. Consequently, delivery trucks not having a TWIC driver will have to be escorted on MPA terminals.

Contractors may have difficulty soliciting and fulfilling contracts on regulated facilities because they may not have employees or subcontractors that have TWIC cards at the time of the contract.

Cruise terminals are MTSA-regulated areas. TWIC will have a debilitating impact on managing the entrance and exit of passenger vehicles needing access to the cruise facility, as well as crew shuttles, vendors, taxi cabs and buses patronizing the cruise industry.

Besides a TWIC card, there are not clear guidelines for having an authorized purpose for port access. Purpose or reason satisfied to enter a terminal at any one given facility will not necessarily authorize purpose or reason to enter another given facility. Consequently, many ports will be faced with maintaining two systems for port access: TWIC possession and a second port facility identification card or credential to validate an authorized purpose or reason for being on the facility. Guidelines for escorting and monitoring need to be better defined.

Private terminals are grappling with similar issues of escorting requirements; the cost of implementing TWIC to either their businesses or directly to employees; escorting requirements; TWIC business rules; and the cost to change their access control procedures and make capital improvements to implement TWIC requirements.

Maryland Governor O'Malley has said it is his goal to make the Port of Baltimore one of the most secure ports in the nation. We want to accomplish that goal with limited negative impact to the flow of commerce. However, there clearly are many factors regarding TWIC implementation that need to be resolved or better communicated. We certainly owe at least that much to the millions of men and women across our country who work on the waterfront everyday.

Thank you.

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